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NOTICE OF ALLOWANCE AND FEE(S) DUE

08/07/2006

FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112

EXAM	INER
SHAH, A	AMEE A
ART UNIT	PAPER NUMBER

3625 DATE MAILED: 08/07/2006

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,162	02/13/2001	Kazuma Sato	862.C2116	9463

TITLE OF INVENTION: METHOD, SYSTEM AND MEDIUM FOR REMOTELY MANAGING PLURAL IMAGE FORMING APPARATUSES AND PLURAL TYPES OF MAINTENANCE AGREEMENTS RELATING TO THE APPARATUSES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$0	\$1700	11/07/2006

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

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III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks I through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block I, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.	CONFIRMATION NO.
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NOTE: The Issue Fee an interest as shown by the	d Publication Fee (if req records of the United Sta	uired) will not be accepte tes Patent and Trademark	d from anyone other than to Office.	he applicant; a regis	tered attorney or agent; or the	ne assignee or other party in
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,162	02/13/2001	Kazuma Sato	862.C2116	9463
05514 7:	590 08/07/2006		EXAM	INER
- FITZPATRICK	CELLA HARPER &	SCINTO	SHAH, A	MEE A
30 ROCKEFELLE			ART UNIT	PAPER NUMBER
NEW YORK, NY	10112		3625 DATE MAILED: 08/07/2000	6

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 748 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 748 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

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	Application No.	Applicant(s)
AL 41 PAR . 1. 1814 .	09/781,162	SATO ET AL.
Notice of Allowability	Examiner	Art Unit
	Amee A. Shah	3625
The MAILING DATE of this communication appeal All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this apply or other appropriate communication IGHTS. This application is subject to	plication. If not included will be mailed in due course. THIS
1. \boxtimes This communication is responsive to <u>Remarks and Amend</u>	dments filed May 5, 2006, and Exami	iners Amendment of July 12, 2006.
2. The allowed claim(s) is/are 1.2 and 4-16.		
3. ☑ Acknowledgment is made of a claim for foreign priority up a) ☑ All b) ☐ Some* c) ☐ None of the: 1. ☑ Certified copies of the priority documents have	e been received.	
2. Certified copies of the priority documents have3. Copies of the certified copies of the priority do		
International Bureau (PCT Rule 17.2(a)).	ocuments have been received in this	national stage application from the
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDON! THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	of this communication to file a reply MENT of this application.	complying with the requirements
4. A SUBSTITUTE OATH OR DECLARATION must be subminformal patent application (PTO-152) which give	nitted. Note the attached EXAMINER res reason(s) why the oath or declara	S'S AMENDMENT or NOTICE OF ation is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") mu	st be submitted.	
(a) ☐ including changes required by the Notice of Draftsper		-948) attached
1) 🗌 hereto or 2) 🗌 to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner Paper No./Mail Date		
Identifying indicia such as the application number (see 37 CFR each sheet. Replacement sheet(s) should be labeled as such in	1.84(c)) should be written on the drawi the header according to 37 CFR 1.121	ngs in the front (not the back) of (d).
 DEPOSIT OF and/or INFORMATION about the depo- attached Examiner's comment regarding REQUIREMENT 	osit of BIOLOGICAL MATERIAL FOR THE DEPOSIT OF BIOLOGIC	must be submitted. Note the AL MATERIAL.
Attachment(s)		
1. Notice of References Cited (PTO-892)		Patent Application (PTO-152)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. ⊠ Interview Summary Paper No./Mail Da	
 Information Disclosure Statements (PTO-1449 or PTO/SB/ Paper No./Mail Date 	/08), 7. ⊠ Examiner's Amend	ment/Comment
 Examiner's Comment Regarding Requirement for Deposit of Biological Material 		ent of Reasons for Allowance
	9. ☐ Other	
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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Magluyan, Esq., on July 12, 2006.

The application has been amended as follows:

In the Title

The title has been changed to:

--Method, system and medium for remotely managing plural image forming apparatuses and plural types of maintenance agreements relating to the apparatuses--.

In the Claims

At claim 1, line 9: "apparatuses" has been replaced with --apparatus--.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Claim 1:

The prior art of record neither anticipates nor fairly and reasonably teaches a remote managing system for managing plural image forming apparatuses and plural types of maintenance agreements relating to the image forming apparatuses comprising: a receiver that receives information of a number of printed paper sheets output by an image forming apparatus, together with an identifier of the image forming apparatus, via a communication path; a memory that stores a variety of unit prices per paper sheet to be output by each of the image forming apparatuses, wherein each of the variety of unit prices is associated with an identifier of an image forming apparatus and a type of maintenance agreement for the image forming apparatus; and a calculation section that calculates a payable amount for an image forming apparatus having the identifier on the basis of (i) the number of printed paper sheets received by said receiver, associated with the identifier and (ii) a unit price of the variety of unit prices, stored in said memory, associated with the identifier and the type of maintenance agreement for the image forming apparatus (see claim 1).

The most closely applicable prior art of record is referred to in the Office Action mailed January 10, 2006, as "Farrell" (U.S. Patent No. 5,383,129). Farrell discloses similar structural components and functionality of receiving the number of printed paper sheets output by an image forming apparatus, storing a variety of unit prices per paper sheet, and calculating a payable

Application/Control Number: 09/781,162

Art Unit: 3625

amount based on the number of printed sheets and a unit price of the variety of unit prices. However, Farrell does not anticipate or fairly and reasonably teach managing plural image forming devices, receiving the number of paper sheets along with an identifier of an image forming apparatus, storing a variety of unit prices associated with an identifier of the image forming apparatus, and calculating a payable amount based on the number of printed sheets associated with the identifier and the unit price associated with the identifier and type of maintenance agreement.

Newly cited U.S. Patent No. 7,061,634 B1 (hereafter referred to as "Ogura") discloses a system and method for supervising image forming apparatuses including a plurality of images forming apparatuses connecting through communication lines to a central control apparatus wherein usage information such as the total number of image formed sheets per image forming apparatus is transmitted to and stored in the central control apparatus (*see* Abstract, Figures 36 and 37, col. 11, lines 35-60, and col. 26, lines 6-15). However, Ogura does not anticipate or fairly and reasonably teach storing a plurality of unit prices per paper sheet or calculating a payable amount for an image forming apparatus based on the usage and the unit price associated with the identifier. Furthermore, it would not have been obvious to one of ordinary skill in the art at the time of invention to have modified the system and method Farrell with the teachings of Ogura to manage a plurality of apparatuses, to receive usage information (i.e. number of printed sheets) per image forming apparatus, and then to calculate a payable amount based on the usage and unit price associated with each identifier.

Newly cited U.S. Patent No. 5,708,909 (hereafter referred to as "Yamashita") discloses an equipment management system in which electric photocopiers are linked through a network (i.e. a communication path) with a host computer at a maintenance company and another host computer at a lease company wherein data including the copier identification (ID), maintenance agreement information and the total count of copies provided by the copier are transmitted to the maintenance company host computer, and data regarding the total count are transmitted from the maintenance host to the lease company host. However, Yamashita does not anticipate or fairly and reasonably teach storing this data or performing calculations based on the usage and unit prices associated with each device. Furthermore, it would not have been obvious to one of ordinary skill in the art at the time of invention to have modified the system and method Farrell with the teachings of Yamashita to manage a plurality of apparatuses, to receive usage information (i.e. number of printed sheets) per image forming apparatus, and then to calculate a payable amount based on the usage and unit price associated with each identifier.

Claim 7.

Claim 7 recites a remote managing method of calculating a charge for use of each of a plurality of image forming apparatuses by a user. The method comprising the steps consistent with and parallel to the limitations of claim 1. This method is allowable over the prior art for reasons consistent with those identified above with response to claim 1.

Claim 12.

Art Unit: 3625

Claim 12 recites an article of manufacture comprising a computer program stored in a computer-readable medium for a remote managing method for calculating a charge for use of each of a plurality of image forming apparatuses by a user. As discussed in the Office Action mailed May 31, 2005, the program is interpreted to be executable by a computer (see Specification, page 88, lines 22-23) and is therefore statutory under 32 U.S.C. §101. The medium when executed by a computer causes the computer to perform the method steps for executing commands to perform operations comprising steps which are consistent with and parallel to the limitations of claim 1. This article of manufacturer method is allowable over the prior art for reasons consistent with those identified above with response to claim 1.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Author unknown, "Lexmark Launches MarkTrack Printer Software to Slash Printing Costs," M2 Presswire, Coventry, Sep. 10, 1999, pg. 1, discloses software for managing plural image forming apparatuses that captures information on location, usage and condition of networked apparatuses from a single point.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 3625

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amee A. Shah whose telephone number is 571-272-8116. The examiner can normally be reached on Mon.-Fri. 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AAS

July 12, 2006

Julifley A Smith
Primary Examiner
Acting SPE
Au 3625

	Application No.	Applicant(s)
Examiner-Initiated Interview Summary	09/781,162	SATO ET AL.
Liammer-initiated interview duminary	Examiner	Art Unit
	Amee A. Shah	3625
All Participants:	Status of Application: <u>Per</u>	nding
(1) Amee A. Shah.	(3)	
(2) <u>John Magluyan</u> .	(4)	
Date of Interview: <u>12 July 2006</u>	Time:	
Type of Interview: ☐ Telephonic ☐ Video Conference ☐ Personal (Copy given to: ☐ Applicant Exhibit Shown or Demonstrated: ☐ Yes ☐ No If Yes, provide a brief description:	nt's representative)	
Part I.		
Rejection(s) discussed:		
Claims discussed:		
,		
Prior art documents discussed:		
Part II.		
SUBSTANCE OF INTERVIEW DESCRIBING THE GENER See Continuation Sheet	RAL NATURE OF WHAT WAS	S DISCUSSED:
Part III.		
 ☑ It is not necessary for applicant to provide a separate redirectly resulted in the allowance of the application. The of the interview in the Notice of Allowability. ☑ It is not necessary for applicant to provide a separate redid not result in resolution of all issues. A brief summar 	e examiner will provide a writt record of the substance of the	en summary of the substance interview, since the interview
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(Examiner/SPE Signature) (Applicant	/Applicant's Representative S	ignature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Discussed Examiner's amendments to claim 1 to change "apparatuses" in line 9 of claim 1 to --apparatus-- and change the title to Method, system and medium for remotely managing plural image forming apparatuses and plural types of maintenance agreements relating to the apparatuses. Mr. Magluyan confirmed that the changes were acceptable..

Notice of References Cited Application/Control No. O9/781,162 Examiner Art Unit Page 1 of 1 Amee A. Shah Application/Ship/Patent Under Reexamination SATO ET AL. Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	Α	US-5,383,129	01-1995	Farrell, Michael E.	705/400
*	В	US-5,708,909	01-1998	Yamashita et al.	399/8
*	C	US-7,061,634 B1	06-2006	Ogura et al.	358/1.15
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FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	0					
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NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	υ	Author unknown, "Lexmark Launches MarkTrack Printer Software to Slash Printing Costs," M2 Presswire, Coventry, Sep. 10, 1999, pg. 1.
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).) Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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LEXMARK: Lexmark launches MarkTrack printer software t slash printing costs

M2 Presswire. Coventry: Sep 10, 1999. pg. 1

Publication title:

M2 Presswire. Coventry: Sep 10, 1999. pg. 1

Source type:

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Abstract (Document Summary)

M2 PRESSWIRE-10 September 1999-LEXMARK: Lexmark launche MarkTrack printer software to slash printing costs (C)1994-99 M COMMUNICATIONS LTD * Investigating printing costs ma elementary... my dear, Watson! Lexmark International, the world number two laser printer company, is announcing today the launch of MarkTrack software, which enables companies to analyse their printing habits so as to effectively manage their investment and recover costs. Lexmark developed the software over the last 18 months in response to customer demand.

MarkTrack tracks SNMP-compliant printers, collects, analyze and creates reports using job statistics data. It can be used to allocate printing costs, to create an inventory of network printer assets automatically, to analyze printing for the enterprise and t plan ahead for supplies purchases, maintenance schedules and printer replacement. MarkTrack captures information about the location, usage, utilisation and condition of networked printers from a single point and catalogs all the data on a relational database MarkTrack can also be used to allocate printing costs to cost centres, organisational divisions or office buildings.

Full Text (544 words)

Copyright M2 Communications Ltd. Sep 10, 1999

M2 PRESSWIRE-10 September 1999-LEXMARK: Lexmark launche MarkTrack printer software to slash printing costs (C)1994-99 M COMMUNICATIONS LTD * Investigating printing costs ma elementary... my dear, Watson! Lexmark International, the world number two laser printer company, is announcing today the launch of MarkTrack software, which enables companies to analyse their printing habits so as to effectively manage their investment and recover costs. Lexmark developed the software over the last 18 months in response to customer demand.

"The information generated by MarkTrack is vital for an company wishing to improve the effectiveness and efficiency of their printing. Which, when you consider that the printing costs for most companies is between 6 and 15% of the bottom-line*, makes this a extremely powerful business tool", commented Graham Salmons, marketing director of Lexmark.

"Lexmark is continually working towards creating printin solutions to meet the needs of its customers. MarkVision builds on this dedication", concluded Salmons.

MarkTrack tracks SNMP-compliant printers, collects, analyze and creates reports using job statistics data. It can be used to allocate printing costs, to create an inventory of network printer assets automatically, to analyze printing for the enterprise and t plan ahead for supplies purchases, maintenance schedules and printer replacement. MarkTrack captures information about the location, usage, utilisation and condition of networked printers from a single point and catalogs all the data on a relational database MarkTrack can also be used to allocate printing costs to cost centres, organisational divisions or office buildings.

Reports can be produced instantaneously with analysis from jus about any aspect required - time of day, origin of the jobs, size of job, printer type, etc. - and can be viewed using a web server/brower. Cost analysis of these different factors bring to light where printers could be more effectively used and can encourage cost saving habits.

For example, a marketing department may use on average 2,00 sheets of paper per day. The average paper tray holds only 250 sheets of paper. This means that the paper needs to be refilled at least eight times per day. By adding four extra paper travs, the paper only needs to be refilled once each day, dramatically reducing the distruption caused and time wasted.

MarkTrack resides on a Windows NT server running TCP/IP - an not on the production server. An important feature of MarkTrack is that it ensures a realistic picture of printer usage and does not depend on how users have logged on to their system as it takes information directly from the printer.

Reports can be viewed using a standard web browser and so, if required, it can be accessed from a remote office. MarkTrack

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* Source: The Gartner Group, The Ashburnham Group and CA Venture Group Notes to editors: Lexmark International, Inc. a global developer, manufacturer and supplier of printer solutions and products, including laser, inkjet and dot matrix printers an associated consumable supplies for the office and home markets. The company is a wholly owned subsidiary of Lexmark International Group, Inc.

(NYSE: LXK).

CONTACT: Vidushi Patel/Anna Fraser, Buffalo Communication Tel: +44 (0)171 385 0777 e-mail: vidushi.patel@buffalo.co.uk e-mail: anna.fraser@buffalo.co.uk Alison Englefield, Lexmark International Ltd.

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